

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ERIK CATHELL,

Petitioner,

v.

LOUIS FOLINO, et al,

Respondents.

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CIVIL ACTION

No. 09-4667

ORDER

AND NOW, this 11th day of March, 2011, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, and after a review of the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski and Petitioner's objections thereto (Doc. No. 27), it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. The petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254 is DENIED without an evidentiary hearing.
3. There is no basis for the issuance of a certificate of appealability.

BY THE COURT:



Legrome D. Davis, J.